

### ***What happens if the EPB decides a complaint is justified?***

Except as provided elsewhere in city ordinances, a Public Official who violates the Code of Ethics may be subject to disciplinary action up to and including termination of city employment/city volunteer duties.

An elected official or an appointed member of any board or commission, whose discipline is addressed by the City of Rochester Home Rule Charter or the Rochester Code of Ordinances and who violates the Code of Ethics may be subject to such disciplinary action as is provided by the Home Rule Charter or the Code of Ordinances.

### ***How can a complaint be filed?***

A complaint can be filed by clicking on the City of Rochester website at - <http://www.rochestermn.gov/government/boards-and-commissions/ethical-practices-board>

To submit an inquiry or complaint, click this link to the [Inquiry / Complaint Submission Form](#). Print and complete the form and then return it to the City Clerk's office. Or you may contact the City Clerk's office for a form at 507.328.2900.

### ***Who are the EPB Board Members and what are the terms of office?***

**Chair: Audrey Ericksen**

Appointment May 1, 2011 – April 30, 2014

Re-appointment May 1, 2014 – April 30, 2017

**Vice-Chair: Joseph F. O'Toole, Jr.**

Appointment May 1, 2014 – April 30, 2017

**Secretary: Kay Batchelder**

Appointment May 1, 2012 – April 30, 2015

Re-appointment May 1, 2015 – April 30, 2018

**Member: Kylie Osterhus**

Appointment May 1, 2015 – April 30, 2018

**Member: Annie Henderson**

Appointment January 21, 2015-April 30, 2016



**Ethical Practices Board  
City of Rochester**



**ESTABLISHED 2008**

The purpose of the EPB is to ensure that all persons acting in the public service not only maintain the highest possible standards of ethical conduct in their transaction of public business, but that such standards be clearly defined and known to the public as well as to the persons acting in public service.

A democratic government requires that:

- Public officials be independent, impartial, and responsible to the people
- Governmental decisions and policies must be made in the proper channels of the governmental structure
- Public office may not be used for personal gain
- Citizens must have confidence in the integrity of their government officials.

In recognition of these goals, there is an established a Code of Ethics for elected or appointed public officials, citizen volunteers, and candidates for public office. The purpose of the Code is to establish ethical standards of conduct for such persons by establishing acts which are incompatible with the City's best interests and requiring disclosure of private or financial interests in matters involving the City. The provisions and purposes of this Code of Ethics are declared to be in the best interests of the City of Rochester.

## **Frequently Asked Questions**

### ***Who is on the EPB?***

The EPB is comprised of five citizen members who are appointed by a committee consisting of the President of Rochester Community and Technical College, the Chancellor of the University of Minnesota Rochester and the highest ranking officer of the Olmsted County Bar Association not associated with the Rochester City Attorney's Office.

### ***How long are the terms of office?***

Members serve a three year term and may serve up to consecutive terms.

### ***Who is covered by the Code of Ethics?***

The Code of Ethics is applicable to public officials including elected officials and city employees as defined in RCO 13.01 Subd. 7. , as well as members of other city boards and commissions.

### ***Who can file a complaint?***

Any person, either personally or on behalf of an organization or governmental body, may request the Board to issue an ethics opinion regarding the propriety of any matter within the Board's jurisdiction. Any complaint or request for an ethics opinion must be in writing and signed by the person making the request.

### ***What happens when the EPB receives a complaint?***

Upon receipt of a complaint or upon learning of any circumstance or situation that appears to violate any provision of RCO Chapter 13, the Board shall conduct a preliminary investigation. If, upon completion of that investigation, the Board determines there is no reasonable grounds to believe that a violation has occurred or that the complaint is frivolous, made in bad faith, brought for vexatious reasons or is filed principally for the purpose of harassment, it shall dismiss the complaint.

The Board shall hold a hearing on a complaint that is not dismissed, and shall report its findings to the City Administrator and to the person's Appointing Authority.

The chair of the Board may obtain subpoenas from the district court to compel the attendance of witnesses or the production of documents at any hearing.



City of Rochester – Ethical Practices Board –

website: <http://www.rochestermn.gov/government/boards-and-commissions/ethical-practices-board>

Or call the City Clerk's office for more information at: 507.328.2900